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Amendment Under 37 C.F.R. §1.116
Expedited Procedure
Examining Group 2653

PATENT
ATTORNEY DOCKET NO.: 041514-5081

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Yoshimi TOMITA)	Confirmation No.: 4863
)	
Application No.: 09/584,783)	Group Art Unit: 2653
)	
Filed: June 1, 2000)	Examiner: K. Le
)	
For: OPTICAL DISC RECORDING METHOD)	ATTN: Mail Stop AF
AND APPARATUS, OPTICAL DISC,)	
AND OPTICAL DISC REPRODUCING)	
APPARATUS)	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT UNDER 37 C.F.R. §1.116 TRANSMITTAL FORM

1. Transmitted herewith is an Amendment under 37 C.F.R. §1.116 in response to the Final Office Action dated August 27, 2004 (Paper No. 12).
2. Additional papers enclosed:
 - ☒ Submission of Replacement Drawing Sheets (with attached 13 replacement sheets of drawings containing 15 figures)
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, _____ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: **\$120.00**.

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

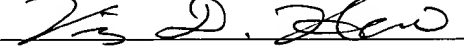
CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	22	minus	20	2	x \$50 each=	+ \$ 100.00
Independent Claims (37 C.F.R. §1.16(b))	13	minus	7	6	x \$200 each=	+ \$1,200.00
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						\$1,300.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$1,300.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Please charge Deposit Account No. 50-0310 the amount of \$1420.00 (\$120 for the one-month extension of time fee and \$1300 for the excess claims fees).
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Dated: December 27, 2004

By: 
 Victoria D. Hao
 Registration No. 47,630

CUSTOMER NO. 09629
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 Washington, D.C. 20004
 Telephone: 202.739.3000



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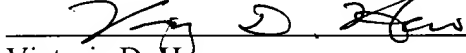
SUBMISSION OF REPLACEMENT DRAWING SHEETS

Filed herewith are thirteen (13) replacement sheets of drawings containing FIGs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11A, 11B, 11C, 12 and 13. These replacement sheets are being filed to add the legend "Prior Art" to FIG. 2 and to add new FIG. 13. In particular, new FIG. 13 is supported by, for example, page 23 of the specification. Thus, it is requested that the drawing be approved and made part of the official record in the above-identified patent application.

If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-0310.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Dated: December 27, 2004

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Victoria D. Hao
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